

AMENDED IN SENATE JULY 2, 2001

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

## ASSEMBLY BILL

No. 1626

**Introduced by Assembly Members Pescetti and Diaz  
(Coauthor: Assembly Member Alquist)**

February 23, 2001

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*An act to add Article 1 (commencing with Section 32070) to Chapter 2 of Part 19 of the Education Code, relating to school safety, and making an appropriation therefor.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1626, as amended, Pescetti. School safety.

Existing law establishes the School Violence Prevention and Response Task Force and requires the task force to perform various duties, including, among others, analyzing and evaluating current statutes and programs in the area of school-based crisis prevention and response and making appropriate policy recommendations on how to enhance state and local programs and training to adequately prepare school districts and county offices of education to meet the challenges stemming from disruptive and violent acts, or both, on or near school campuses.

This bill would establish the California Safe Alternatives and Violence Education *Pilot* Program (SAVE) to provide nonpunitive intervention for adolescent first-time offenders, ages 10 to 17, inclusive, who have been involved in violence or weapons possession

on or near a school campus. The bill would require that the program be administered by the Attorney General, subject to funding being appropriated for its purpose ~~in Santa Clara County, Sacramento County, and a third county to be determined~~, to establish 3 programs on a competitive basis, subject to an application process, as specified. *The bill would authorize specified local governmental agencies to apply for grants. The bill would require that the program be administered in conjunction with local law enforcement and school districts the programs to be a collaborative effort between probation and local law enforcement, and local education entities. The bill would require the programs to offer specified services and would require that program participants be referred to the program by schools, probation departments, courts, and law enforcement agencies according to specified criteria. The bill would require the Attorney General to conduct an evaluation of the pilot program and report to the Legislature by March 1, 2003 and evaluation.*

The bill would appropriate \$900,000, according to a specified schedule, for the purpose of funding the pilot program *and evaluation*.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. *Article 1 (commencing with Section 32070) is*  
2 *added to Chapter 2 of Part 19 of the Education Code, to read:*

3  
4 *Article 1. The California Safe Alternatives and Violence*  
5 *Education Pilot Program*

6  
7 32070. (a) There is hereby established the California Safe  
8 Alternatives and Violence Education Pilot Program (SAVE) to  
9 provide nonpunitive intervention for adolescent first-time  
10 offenders, ages 10 to 17, inclusive, who have been involved in  
11 violence or weapons possession on or near a school campus. The  
12 pilot program shall be administered through the Attorney General  
13 for a period of ~~one year~~ two years, subject to funding being  
14 appropriated for its purpose, ~~in Santa Clara County, Sacramento~~  
15 ~~County, and a third county~~ to establish three programs to be  
16 determined on a competitive basis by the Attorney General  
17 through an application process.

(b) The program shall be modeled upon *the* successful SAVE programs program in San Jose and Sacramento, where recidivism among program participants was 16 percent.

~~(c) The program shall be administered in conjunction with local law enforcement and school districts.~~

~~SEC. 2.—The sum of nine hundred thousand dollars (\$900,000) is hereby appropriated from the General Fund to the Attorney General for allocation in the amount of three hundred thousand dollars (\$300,000) to each of the three counties participating in the pilot program provided for in Section 1 of this act.~~

(c) *The program shall be a voluntary collaborative effort between probation, other local law enforcement, and local education entities. One full-time administrator from the agency receiving the grant shall coordinate the effort.*

(d) *All of the following agencies may apply on behalf of the collaborating agencies for a grant:*

(1) *City police departments.*

(2) *County sheriff departments.*

(3) *County probation departments.*

(4) *County offices of education.*

(e) *Programs shall include all of the following:*

(1) *Administration of the program by the Attorney General's office in collaboration with local schools and law enforcement.*

(2) *Facilitation of the program by law enforcement personnel, including, but not limited to, police, sheriff, probation, and district attorney personnel.*

(3) *Required parent participation.*

(4) *A media unit designed to develop program participants into critical viewers.*

(5) *A parenting component for the parents and guardians of program participants.*

(6) *A look at the hidden and unintended costs and consequences of violence.*

(7) *An interactive discussion component with children and unrelated adults.*

(8) *The program shall be held at a police, school, or other convenient facility.*

(f) (1) *Participants shall be referred by schools, probation departments, courts, and law enforcement entities.*

1     (2) *All of the following shall be considered when making a*  
2 *referral:*

3     (A) *Possession of a weapon, replica weapon, injurious object,*  
4 *and verbal or written threats of violence.*

5     (B) *Whether any of the conduct set forth in subparagraph (A)*  
6 *was committed on or near school campus.*

7     (C) *The nature of conduct in question.*

8     (D) *The nature of the relationship between the alleged victim*  
9 *and the person alleged to have committed the conduct.*

10    (E) *The age of the pupil.*

11    (F) *The absence of significant prior criminal history.*

12    (G) *Whether referral to the program is likely to help resolve*  
13 *underlying issues that are likely to result in additional conduct that*  
14 *could be the subject of criminal charges.*

15    (H) *Amenability of family and situation to education*  
16 *alternative.*

17    (g) (1) *The Attorney General's office shall, through a*  
18 *statewide competitive process, select applicants to participate in*  
19 *the program established pursuant to this article from among*  
20 *applicants applying on forms and in a manner prescribed by the*  
21 *Attorney General's office.*

22    (2) *The Attorney General's office shall consider all of the*  
23 *following in selecting agencies to participate in the program*  
24 *established pursuant to this article:*

25    (A) *Demonstrated program experience in serving the target*  
26 *population.*

27    (B) *Demonstrated experience in at least three of the six*  
28 *program components.*

29    (C) *Demonstrated experience in collaborating with education*  
30 *and law enforcement juvenile crime prevention efforts.*

31    (D) *Ability to match with 25 percent in-kind funding.*

32    (E) *Capacity to respond to program evaluation requirements.*

33    (F) *Demonstrated fiscal accountability.*

34    (h) *The Attorney General shall conduct an evaluation of the*  
35 *program to determine the extent to which the program goals are*  
36 *being met and shall report its findings to the Legislature on or*  
37 *before March 1, 2003.*

38    SEC. 2. *The sum of nine hundred thousand dollars (\$900,000)*  
39 *is hereby appropriated from the General Fund for allocation as*  
40 *follows:*

1     (a) *Eight hundred seventy-three thousand dollars (\$873,000)*  
2     *in the amount of two hundred ninety-one thousand dollars*  
3     *(\$291,000) to each of the counties participating in the Safe*  
4     *Alternatives and Violence Education Pilot Program.*

5     (b) *Twenty-seven thousand dollars (\$27,000)to the Attorney*  
6     *General for administrative costs incurred by the Attorney*  
7     *General's office and to conduct the evaluation required pursuant*  
8     *to Section 32707 of the Education Code.*

